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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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IN RE ELECTRONIC BOOKS
ANTITRUST LITIGATION

CASE NO. 12-mc-186-MJP

TRANSFER ORDER

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Action Pending in:
United States District Court, Southern
District of New York (11-md-02293-
DLC)

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This matter comes before the Court on the motion to quash filed by nonparty

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Amazon.com (Dkt. No. 1) and the request by Defendant Apple to have Amazon.com's motion

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transferred to Judge Denise Cote in the Southern District of New York (Dkt. No. 3). Having

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reviewed the motion and the request, and having heard the oral argument of the parties by

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teleconference on Oct. 3, 2012, the Court hereby TRANSFERS the pending motion to quash.

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The MDL statute provides that the MDL judge may "exercise the powers of a district

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judge in any district for the purpose of conducting pretrial depositions in such coordinated or

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consolidated pretrial proceedings." 28 U.S.C. § 1407(b). In the present case, the Court finds that

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judicial economy weighs strongly in favor of transferring the motion because Judge Cote, as the

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TRANSFER ORDER- 1

1  MDL judge, is already familiar with the issues in this case. See In re Welding Rod Prods. Liab.

2  Litig., 406 F. Supp. 2d 1064, 1066-67 (N.D. Cal. 2005) (transfer of motion to quash appropriate

3  when MDL judge is "readily familiar with the underlying issues"). Additionally, the fact that

4  Judge Cote has expressed a willingness to address this dispute (Dkt. No. 4 at 1), and that

5  Amazon.com cannot articulate a reason why it would be prejudiced by such a transfer also weigh

6  in favor of transferring this motion to Judge Cote.

7       Therefore, the motion to quash is hereby TRANSFERRED to Judge Denise Cote in the

8  Southern District of New York.

9       The clerk is ordered to provide copies of this order to all counsel.

10      Dated this 12th day of October, 2012.

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13                                      Marsha J. Pechman

14                                      United States District Judge

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